at least 200 µg folic acid;

at least 100 mg magnesium;

at least 5 mg zinc;

at least 2 mg vitamin B6;

at least 2 µg vitamin B12; and

at least 1.0 g citrate.--

a5 cont.

--33. A preparation according to claim 19, which is a nutritional supplement.--

REMARKS

The specification has been amended as needed so as to place this application in condition for disposal at the time of the next Official Action.

The claims previously in the case have been replaced by a set of new claims that are believed to be proper as to form and clearly patentable over the cited references. When preparing the new claims, careful attention was paid to the Examiner's criticisms of the original claims, all of which criticisms are believed to be satisfied by the new claims.

Reconsideration is accordingly respectfully requested, for the rejection of the claims as unpatentable over the various combinations of references, which are identified as follows:

D1 - Sagami Chem. Res. Centre (JP 10017475-A)
D2 - Horrobin (EP 713653),
D3 - Hashim (WO 95/15750),
D4 - Murray (WO 97/29750)
D5 - Bland (US 5,922,704), and
D6 - Cavazza (US 5,753,703)
D7 - Lester (US 5,401,730)
D8 - Yanai (JP 10165119)
D9 - He (CN 1235770A)

None of these references, nor any proper combination thereof, discloses the subject matter now claimed, for the following reasons:

D1 is directed to the combination of a phospholipid such as phosphatidylcholine or phosphatidylserine and DHA for the prevention and treatment of vascular diseases. As to the treatment of dementia, cognitive degeneration or hearing loss, D1 is silent.

D2 relates to fruit juice enriched with polyunsaturated fatty acid (GLA, DGLA, EPA) for a diversity of treatment ranging from vascular disease to skin disorder. However, there is no disclosure nor hint in D2 that such ingredients could be used for treating dementia, cognitive degeneration or hearing loss.

D3 relates to the treatment of vascular disease. No mention is made of dementia, cognitive degeneration or hearing loss or of their treatment.

D4 relates to the use of huperzine for treating rheumatic disorders as well as collagen vascular disease.

Again, no mention is made of dementia, cognitive degeneration or hearing loss or of their treatment.

D5 provides omega fatty acids in conjunction with vitamins, minerals and other nutrients for reducing coronary heart disease. As to dementia, cognitive degeneration or hearing loss or of their treatment, D5 is silent.

D6 provides a combination of alkanoyl-L-carnitines with omega 3 fatty acid for the prevention and treatment of disorders ranging from cardiovascular disorders to tissutal disorders. However, dementia, cognitive degeneration or hearing loss or their treatment is neither disclosed nor taught in D6.

D7 and D8 are prior art documents relevant for the dependent claims only. Hence, D7 is directed to use of a composition comprising aspirin, citric acid and thiamine for reducing the blood thrombotic potential of human or animal subjects. Again, no mention is made of dementia, cognitive degeneration or hearing loss or of their treatment.

Finally, D8 is directed to the use of ginkgo tea for preventing and curing vascular disease but there is no teaching in D8 whatsoever about the prevention or treatment of dementia, cognitive degeneration or hearing loss.

In short: as the new utility of the preparation according to the invention is unobvious, it follows that it would have been unobvious to a person of ordinary skill in the art, to combine the teachings of the references, as proposed by the rejection, to produce a preparation having that unobvious utility.

Accordingly, it is believed that no reference of record nor any proper combination thereof bilitates against the patentability of the new claims, which new claims are believed all to be accordingly allowable.

In view of the present amendment and the foregoing remarks, therefore, it is believed that this application has been placed in condition for allowance, and reconsideration and allowance are respectfully requested.

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

Respectfully submitted,

YOUNG & THOMPSON

By 

Robert J. Patch
Attorney for Applicants
Registration No. 17,355
745 South 23rd Street
Arlington, VA 22202
Telephone: 703/521-2297

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Page 10, the last paragraph was amended as follows:

--For products that are meant to be used for treatment or prevention of further progression of dementia syndromes it is preferred to use a lipophylic thiamine source such as benfothiamine, allithiamine, fursulthiamine or octothiamine. A degeneration of cerebral function as is observed during Parkinson's and Huntington's disease can be retarded by the product according to the invention. In products for these types of patients it is advantageous to include also respectively taurine and gamma-amino butyric acid or derivatives thereof such as piracetam. If [coenzym] coenzyme Q10 is included the amount can be 0.8 to 200 mg and preferably 5 to 70 mg. The amounts can be that low because of the beneficial effect of the phospholipids on the membrane function.--

Page 11, the first paragraph was amended as follows:

--Also a fraction g) can be present that provides anti-oxidant properties. Fraction g) consists of antioxidants selected from vitamin C, vitamin E, lipoic acid, selenium salts and carotenoids. A fraction h) consists of an extract of [gingko] ginkgo biloba. This extract is obtained from the leaves and is enriched in flavonoids and especially terpenoids, in particular

ginkgolides. It appears for example that an extract that comprises at least 4% ginkgolides is effective.--

Page 13, the first paragraph was amended as follows:

--**Example 1**

Capsule for use by demented persons three times a day.
The capsule is prepared using methods known in the art and comprises as active components:

DHA	50 mg
EPA	75 mg
Phospholipids*	250 mg
Folic acid	200 µg
Vitamin B12	25 mg
Huperzia serrata	100 µg
Vitamin B1	100 mg
[coenzym] coenzyme Q10	10 mg
Vitamin E	200 mg
[Gingko] Ginkgo biloba	120 mg

* phosphatidylcholine 130 mg, phosphatidylserine 120 mg (synthetic)--

Page 14, the last paragraph bridging pages 14 and 15, was amended as follows:

--**Example 5**

Muesli-bar of about 25 g based on sugar, cereals and pieces of dried fruit that comprises as active components:

soylecithin*	2 g
encapsulated fish oil	0.6 g
SCO (AA)	0.3 g
Folic acid	400 µg

pyridoxamine	3 mg
cyanocobalamine	5 µg
zinc oxide	30 mg
magnesium oxide	200 mg
citric acid/citrate pH 6.5 mixture	2 g
Huperzine serrata extract	150 µg
[Gingko] Ginkgo biloba extract	200 mg
calcium sulphate	300 mg
vitamin D	10 µg

*phosphatidylcholine:phosphatidylethanolamine:

phosphatidylinositol = 45:26:14)

The bar is coated with a layer of chocolate.--